

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Bryan Anthony Cradle**

**Docket No. 5:00-CR-15-1H**

**Petition for Action on Supervised Release**

COMES NOW Keith W. Lawrence, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Bryan Anthony Cradle, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With the Intent to Distribute Cocaine Base (Crack) and Cocaine Powder, in violation of 21 U.S.C. §§ 841(a)(1) and 846, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on December 19, 2000, to the custody of the Bureau of Prisons for a term of 160 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
4. The defendant shall participate in a vocational training program as directed by the probation office.
5. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.
6. The defendant shall pay to the United States a fine of \$5,000. The court finds that the defendant is without the ability to pay a fine within the guideline fine range or pay interest so interest is, therefore, waived. Payment of the total fine shall be due immediately.

On October 16, 2008, pursuant to 18 U.S.C. § 3582(c)(2), the defendant's sentence was reduced to 118 months. Bryan Anthony Cradle was released from custody on August 18, 2009, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On August 22, 2011, the defendant reported to his officer and admitted that he used marijuana on August 19, 2011. Cradle advised that his marijuana use was an isolated incident and a case of bad judgment. At this time, the defendant denies needing substance abuse treatment. We will monitor his drug use through the Surprise Urinalysis Program. As a sanction for this conduct, and in an effort to deter future drug use, we are recommending that the conditions of supervised release be modified to include 24 hours of community service in lieu of DROPS. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

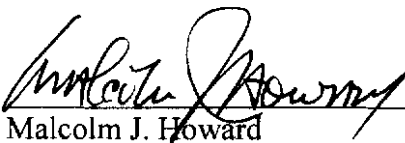
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt  
Robert K. Britt  
Senior U.S. Probation Officer

/s/ Keith W. Lawrence  
Keith W. Lawrence  
U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301-5730  
Phone: (910) 483-8613  
Executed On: August 22, 2011

**ORDER OF COURT**

Considered and ordered this 24<sup>th</sup> day of August, 2011, and ordered filed and made a part of the records in the above case.

  
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Malcolm J. Howard  
Senior U.S. District Judge